

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

TRACY COITEUX,

Defendant.

CASE NO. CR21-5184 BHS

ORDER

This matter is before the Court on Tracy Coiteux's motion to suppress the search warrants in her case. Dkt. 140.

Coiteux concedes that her motion is entirely dependent on her motion to dismiss the indictment, Dkt. 138. The earlier motion argued that the conduct at issue is not a crime under the Clean Air Act (CAA). Dkt. 138. She incorporates that motion by reference and asserts that it "covers the same general issues" raised in this motion. Dkt. 140 at 2. Indeed, her stated basis for suppressing the search warrants is derivative of her central argument in her motion to dismiss:

The basis for this motion is that the Search Warrant Affidavits in support of the same failed to identify conduct that constitutes a crime. The EPA has civil avenues to obtain desired information of the sort in this case, but a

1 criminal search warrant is not one such method. Accordingly, all such  
2 evidence derived from the same should be suppressed.

3 Dkt. 140 at 1. She advises that “the logical starting point for these motions is the Motion  
4 to Dismiss which, if granted, renders our motion to suppress moot.” Dkt. 140 at 2.

5 The Court agrees that its order denying Coiteux’s motion to dismiss is a logical  
6 starting point for ruling on her motion to suppress the search warrants. It incorporates by  
7 reference both its overview of the relevant facts and its legal analysis in that order, Dkt.  
8 150.

9 Therefore, it is hereby **ORDERED** that Coiteux’s motion to suppress the search  
10 warrants, Dkt. 140, is **DENIED**.

11 Dated this 6th day of May, 2024.

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13 BENJAMIN H. SETTLE  
14 United States District Judge  
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